

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

FILED

FEB 18 2015

Clerk, U.S. District Court
District Of Montana
Missoula

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT LEWIS WHITE,

Defendant.

CR 14-20-BU-DLC

CR 14-21-BU-DLC

FINDINGS AND
RECOMMENDATION
CONCERNING PLEA

The Defendant, by consent, has appeared before the undersigned pursuant to Fed. R. Crim. P. 11 and has entered pleas of guilty to 13 counts of distribution of child pornography, and one count of receipt of child pornography, all in violation of 18 U.S.C. § 225(a)(2) and (b)(1), and one count charging him with possession of a firearm not registered to him in the National Firearms Registration and Transfer record in violation of 26 U.S.C. §§ 5841, 5845(a), 5861(d), and 5871, as set forth in the Indictments filed in the two referenced cases. The Defendant also admits to the forfeiture allegations in both cases. After examining the Defendant under oath, I have made the following determinations:

1. That the Defendant is fully competent and capable of entering informed and voluntary pleas to the criminal offenses charged against him, and an informed

and voluntary admission to the allegation of forfeiture;

2. That the Defendant is aware of the nature of the charges against him and consequences of pleading guilty to the charges,

3. That the Defendant understands the allegation of forfeiture and the consequences of admitting to the allegation;

4. That the Defendant fully understands his constitutional rights, and the extent to which he is waiving those rights by pleading guilty to the criminal offenses charged against him, and admitting to the allegation of forfeiture;

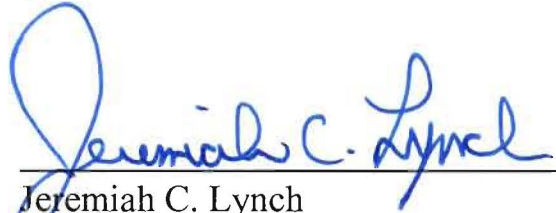
5. That both his plea of guilty to the criminal offenses charged against him and his admission to the allegation of forfeiture are knowingly and voluntarily entered, and are both supported by independent factual grounds sufficient to prove each of the essential elements of the offenses charged and the legal basis for the forfeiture.

Therefore, I recommend that the Defendant be adjudged guilty of the charges set forth in the two Indictments and that sentence be imposed. I further recommend that the agreed forfeiture be imposed against Defendant. A presentence report has been ordered.

This report is forwarded with the recommendation that the Court defer a decision regarding acceptance until the Court has reviewed the presentence

report.

DATED this 18th day of February, 2015.



Jeremiah C. Lynch
United States Magistrate Judge